

DOCUMENTATION OF ENVIRONMENTAL INDICATOR DETERMINATION

Interim: Final 2/5/99

RCRA Corrective Action
Environmental Indicator (EI) RCRIS code (CA750);

Migration of Contaminated Groundwater Under Control

Facility Name: Phelps Dodge Refining Corporation, El Paso Operations
Facility Address: P.O. Box 20001, El Paso, TX 79998
Facility EPA ID #: TXD048924989

1. Has all available relevant/significant information on known and reasonably suspected releases to the groundwater media, subject to RCRA Corrective Action (e.g., from Solid Waste Management Units (SWMU), Regulated Units (RU), and Areas of Concern (AOC)), been considered in this EI determination?

 X If yes - check here and continue with #2 below.

 If no - re-evaluate existing data, or

 if data are not available, skip to #8 and enter "IN" (more information needed) status code.

BACKGROUND**Definition of Environmental Indicators (for the RCRA Corrective Action)**

Environmental Indicators (EI) are measures being used by the RCRA Corrective Action program to go beyond programmatic activity measures (e.g., reports received and approved, etc.) to track changes in the quality of the environment. The two EI developed to-date indicate the quality of the environment in relation to current human exposures to contamination and the migration of contaminated groundwater. An EI for non-human (ecological) receptors is intended to be developed in the future.

Definition of "Migration of Contaminated Groundwater Under Control" EI

A positive "Migration of Contaminated Groundwater Under Control" EI determination ("YE" status code) indicates that the migration of "contaminated" groundwater has stabilized, and that monitoring will be conducted to confirm that contaminated groundwater remains within the original "area of contaminated groundwater" (for all groundwater "contamination" subject to RCRA corrective action at or from the identified facility (i.e., site-wide)).

Relationship of EI to Final Remedies

While Final remedies remain the long-term objective of the RCRA Corrective Action program the EI are near-term objectives which are currently being used as Program measures for the Government Performance and Results Act of 1993, GPRA). The "Migration of Contaminated Groundwater Under Control" EI pertains ONLY to the physical migration (i.e., further spread) of contaminated ground water and contaminants within groundwater (e.g., non-aqueous phase liquids or NAPLs). Achieving this EI does not substitute for achieving other stabilization or final remedy requirements and expectations associated with sources of contamination and the need to restore, wherever practicable, contaminated groundwater to be suitable for its designated current and future uses.

Duration / Applicability of EI Determinations

EI Determinations status codes should remain in RCRIS national database ONLY as long as they remain true (i.e., RCRIS status codes must be changed when the regulatory authorities become aware of contrary information).

Migration of Contaminated Groundwater Under Control
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2. Is groundwater known or reasonably suspected to be "contaminated"¹ above appropriately protective "levels" (i.e., applicable promulgated standards, as well as other appropriate standards, guidelines, guidance, or criteria) from releases subject to RCRA Corrective Action, anywhere at, or from, the facility?

_____ If yes - continue after identifying key contaminants, citing appropriate "levels," and referencing supporting documentation.

 X If no - skip to #8 and enter "YE" status code, after citing appropriate "levels," and referencing supporting documentation to demonstrate that groundwater is not "contaminated."

_____ If unknown - skip to #8 and enter "IN" status code.

Rationale and Reference(s): Phelps Dodge operated several evaporation ponds for the storage and disposal of process wastewater from 1965 to 1998. The ponds were taken out of service in 1998. Metals impacted soil and sediment from the pond bottoms were excavated and disposed of in an on-site engineered disposal unit. Post excavation soil and groundwater confirmation samples were used to verify closure of the ponds in accordance with the Texas Risk Reduction Program Rule (TRRP) [30 Texas Administrative Code (TAC) Chapter 350]. The TCEQ has verified that the concentration levels remaining in soil at the facility are below risk-based levels established for commercial/industrial exposures (i.e., Remedy Standard A, commercial/industrial risk-based Protective Concentration Limits) established for metals in soil. Groundwater was investigated to support the closure of the evaporation ponds and was verified to meet background levels. Relevant information supporting the closure of the evaporation ponds is found in the June 30, 2003 *Revisions to the Final Affected Property Assessment Report for Phelps Dodge Corporation, dated October 2002, Revised June 2003*. This information was approved by the TCEQ in a letter dated February 20, 2004.

Footnotes:

¹"Contamination" and "contaminated" describes media containing contaminants (in any form, NAPL and/or dissolved, vapors, or solids, that are subject to RCRA) in concentrations in excess of appropriate "levels" (appropriate for the protection of the groundwater resource and its beneficial uses).

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Environmental Indicator (EI) RCRIS code (EA750)
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3. Has the **migration** of contaminated groundwater **stabilized** (such that contaminated groundwater is expected to remain within "existing area of contaminated groundwater"² as defined by the monitoring locations designated at the time of this determination)?

_____ If yes - continue, after presenting or referencing the physical evidence (e.g., groundwater sampling/measurement/migration barrier data) and rationale why contaminated groundwater is expected to remain within the (horizontal or vertical) dimensions of the "existing area of groundwater contamination".

_____ If no (contaminated groundwater is observed or expected to migrate beyond the designated locations defining the "existing area of groundwater contamination"²) - skip to #8 and enter "NO" status code, after providing an explanation.

_____ If unknown - skip to #8 and enter "IN" status code.

Rationale and Reference(s): _____

²"existing area of contaminated groundwater" is an area (with horizontal and vertical dimensions) that has been verifiably demonstrated to contain all relevant groundwater contamination for this determination, and is defined by designated (monitoring) locations proximate to the outer perimeter of "contamination" that can and will be sampled/tested in the future to physically verify that all "contaminated" groundwater remains within this area, and that the further migration of "contaminated" groundwater is not occurring. Reasonable allowances in the proximity of the monitoring locations are permissible to incorporate formal remedy decisions (i.e., including public participation) allowing a limited area for natural attenuation.

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_____ If yes - continue after identifying potentially affected surface water bodies.

_____ If unknown - skip to #8 and enter "IN" status code.

Rationale and Reference(s):

Migration of Contaminated Groundwater Under Control
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5. Is the discharge of "contaminated" groundwater into surface water likely to be "insignificant" (i.e., the maximum concentration³ of each contaminant discharging into surface water is less than 10 times their appropriate groundwater "level," and there are no other conditions (e.g., the nature, and number, of discharging contaminants, or environmental setting), which significantly increase the potential for unacceptable impacts to surface water, sediments, or eco-systems at these concentrations)?

_____ If yes - skip to #7 (and enter "YE" status code in #8 if #7 = yes), after documenting: 1) the maximum known or reasonably suspected concentration³ of key contaminants discharged above their groundwater "level," the value of the appropriate "level(s)," and if there is evidence that the concentrations are increasing; and 2) provide a statement of professional judgement/explanation (or reference documentation) supporting that the discharge of groundwater contaminants into the surface water is not anticipated to have unacceptable impacts to the receiving surface water, sediments, or eco-system.

_____ If no - (the discharge of "contaminated" groundwater into surface water is potentially significant) - continue after documenting: 1) the maximum known or reasonably suspected concentration³ of each contaminant discharged above its groundwater "level," the value of the appropriate "level(s)," and if there is evidence that the concentrations are increasing; and 2) for any contaminants discharging into surface water in concentrations³ greater than 100 times their appropriate groundwater "levels," the estimated total amount (mass in kg/yr) of each of these contaminants that are being discharged (loaded) into the surface water body (at the time of the determination), and identify if there is evidence that the amount of discharging contaminants is increasing.

_____ If unknown - enter "IN" status code in #8.

Rationale and Reference(s): _____

³ As measured in groundwater prior to entry to the groundwater-surface water/sediment interaction (e.g., hyporheic) zone.

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6. Can the **discharge** of "contaminated" groundwater into surface water be shown to be "**currently acceptable**" (i.e., not cause impacts to surface water, sediments or eco-systems that should not be allowed to continue until a final remedy decision can be made and implemented⁴)?

_____ If yes - continue after either: 1) identifying the Final Remedy decision incorporating these conditions, or other site-specific criteria (developed for the protection of the site's surface water, sediments, and eco-systems), and referencing supporting documentation demonstrating that these criteria are not exceeded by the discharging groundwater; OR

2) providing or referencing an interim-assessment,⁵ appropriate to the potential for impact, that shows the discharge of groundwater contaminants into the surface water is (in the opinion of a trained specialists, including ecologist) adequately protective of receiving surface water, sediments, and eco-systems, until such time when a full assessment and final remedy decision can be made. Factors which should be considered in the interim-assessment (where appropriate to help identify the impact associated with discharging groundwater) include: surface water body size, flow, use/classification/habitats and contaminant loading limits, other sources of surface water/sediment contamination, surface water and sediment sample results and comparisons to available and appropriate surface water and sediment "levels," as well as any other factors, such as effects on ecological receptors (e.g., via bio-assays/benthic surveys or site-specific ecological Risk Assessments), that the overseeing regulatory agency would deem appropriate for making the EI determination.

_____ If no - (the discharge of "contaminated" groundwater can not be shown to be "**currently acceptable**") - skip to #8 and enter "NO" status code, after documenting the currently unacceptable impacts to the surface water body, sediments, and/or eco-systems.

_____ If unknown - skip to 8 and enter "IN" status code.

Rationale and Reference(s): _____

⁴ Note, because areas of inflowing groundwater can be critical habitats (e.g., nurseries or thermal refugia) for many species, appropriate specialist (e.g., ecologist) should be included in management decisions that could eliminate these areas by significantly altering or reversing groundwater flow pathways near surface water bodies.

⁵ The understanding of the impacts of contaminated groundwater discharges into surface water bodies is a rapidly developing field and reviewers are encouraged to look to the latest guidance for the appropriate methods and scale of demonstration to be reasonably certain that discharges are not causing currently unacceptable impacts to the surface waters, sediments or eco-systems.

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- _____ If unknown - enter "IN" status code in #8.

Rationale and Reference(s):

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8. Check the appropriate RCRIS status codes for the Migration of Contaminated Groundwater Under Control EI (event code CA750), and obtain Supervisor (or appropriate Manager) signature and date on the EI determination below (attach appropriate supporting documentation as well as a map of the facility).

X YE - Yes, "Migration of Contaminated Groundwater Under Control" has been verified. Based on a review of the information contained in this EI determination, it has been determined that the "Migration of Contaminated Groundwater" is "Under Control" at the Phelps Dodge Refining Corporation facility, EPA ID # TXD048924989, located at El Paso, TX. Specifically, this determination indicates that the migration of "contaminated" groundwater is under control, and that monitoring will be conducted to confirm that contaminated groundwater remains within the "existing area of contaminated groundwater." This determination will be re-evaluated when the Agency becomes aware of significant changes at the facility.

___ NO - Unacceptable migration of contaminated groundwater is observed or expected.

___ IN - More information is needed to make a determination.

Completed by (signature) Eleanor Wehner Date 1/19/06
(print) Eleanor Wehner
(title) Project Manager

Supervisor (signature) Joyce Szota Date 1/19/06
(print) Joyce Szota
(title) Supervisor
Texas Commission on Environmental Quality

Locations where References may be found:

TCEQ Central Records, Austin, Texas _____

Contact telephone and e-mail numbers:

Project Manager listed above
(512) 239-2343
correct@tceq.state.tx.us

Final Note: The purpose of the Migration of Contaminated Groundwater EI is to verify that the groundwater plume is stable. A "YE" determination does not constitute a screening tool to end the corrective action process. The "YE" determination may be changed at any time as new information becomes available.

DOCUMENTATION OF ENVIRONMENTAL INDICATOR DETERMINATION

Interim Final 2/5/99

RCRA Corrective Action
Environmental Indicator (EI) RCRIS code (CA725)

Current Human Exposures Under Control

Facility Name: _____ Phelps Dodge Refining Corporation, El Paso Operations _____
Facility Address: _____ P.O. Box 20001, El Paso, TX 79998 _____
Facility EPA ID #: _____ TXD048924989 _____

1. Has all available relevant/significant information on known and reasonably suspected releases to soil, groundwater, surface water/sediments, and air, subject to RCRA Corrective Action (e.g., from Solid Waste Management Units (SWMU), Regulated Units (RU), and Areas of Concern (AOC)), been considered in this EI determination?

☒ X If yes - check here and continue with #2 below.

_____ If no - re-evaluate existing data, or

_____ if data are not available skip to #6 and enter "IN" (more information needed) status code.

BACKGROUND

Definition of Environmental Indicators (for the RCRA Corrective Action)

Environmental Indicators (EI) are measures being used by the RCRA Corrective Action program to go beyond programmatic activity measures (e.g., reports received and approved, etc.) to track changes in the quality of the environment. The two EI developed to-date indicate the quality of the environment in relation to current human exposures to contamination and the migration of contaminated groundwater. An EI for non-human (ecological) receptors is intended to be developed in the future.

Definition of "Current Human Exposures Under Control" EI

A positive "Current Human Exposures Under Control" EI determination ("YE" status code) indicates that there are no "unacceptable" human exposures to "contamination" (i.e., contaminants in concentrations in excess of appropriate risk-based levels) that can be reasonably expected under current land- and groundwater-use conditions (for all "contamination" subject to RCRA corrective action at or from the identified facility (i.e., site-wide)).

Relationship of EI to Final Remedies

While Final remedies remain the long-term objective of the RCRA Corrective Action program the EI are near-term objectives which are currently being used as Program measures for the Government Performance and Results Act of 1993, GPRA). The "Current Human Exposures Under Control" EI are for reasonably expected human exposures under current land- and groundwater-use conditions ONLY, and do not consider potential future land- or groundwater-use conditions or ecological receptors. The RCRA Corrective Action program's overall mission to protect human health and the environment requires that Final remedies address these issues (i.e., potential future human exposure scenarios, future land and groundwater uses, and ecological receptors).

Duration / Applicability of EI Determinations

EI Determinations status codes should remain in RCRIS national database ONLY as long as they remain true (i.e., RCRIS status codes must be changed when the regulatory authorities become aware of contrary information).

Current Human Exposures Under Control
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2. Are groundwater, soil, surface water, sediment, or air media known or reasonably suspected to be "**contaminated**"¹ above appropriately protective risk-based "levels" (applicable promulgated standards, as well as other appropriate standards, guidelines, guidance, or criteria) from releases subject to RCRA Corrective Action (from SWMUs, RUs or AOCs)?

	<u>Yes</u>	<u>No</u>	<u>?</u>	<u>Rationale / Key Contaminants</u>
Groundwater	---	<u>X</u>	---	-----
Air (indoors) ²	---	<u>X</u>	---	-----
Surface Soil (e.g., <2 ft)	---	<u>X</u>	---	-----
Surface Water	---	<u>X</u>	---	-----
Sediment	---	<u>X</u>	---	-----
Subsurf. Soil (e.g., >2 ft)	---	<u>X</u>	---	-----
Air (outdoors)	---	<u>X</u>	---	-----

 X If no (for all media) - skip to #6, and enter "YE," status code after providing or citing appropriate "levels," and referencing sufficient supporting documentation demonstrating that these "levels" are not exceeded.

 If yes (for any media) - continue after identifying key contaminants in each "contaminated" medium, citing appropriate "levels" (or provide an explanation for the determination that the medium could pose an unacceptable risk), and referencing supporting documentation.

 If unknown (for any media) - skip to #6 and enter "IN" status code.

Rationale and Reference(s): Phelps Dodge operated several evaporation ponds for the storage and disposal of process wastewater from 1965 to 1998. The ponds were taken out of service in 1998. Metals impacted soil and sediment from the pond bottoms were excavated and disposed of in an on-site engineered disposal unit. Post excavation soil and groundwater confirmation samples were used to verify closure of the ponds in accordance with the Texas Risk Reduction Program Rule (TRRP) [30 Texas Administrative Code (TAC) Chapter 350]. The TCEQ has verified that the concentration levels remaining in soil at the facility are below risk-based levels established for commercial/industrial exposures (i.e., Remedy Standard A, commercial/industrial risk-based Protective Concentration Limits) established for metals in soil. Relevant information supporting the closure of the evaporation ponds is found in the June 30, 2003 *Revisions to the Final Affected Property Assessment Report for Phelps Dodge Corporation, dated October 2002, Revised June 2003*. This information was approved by the TCEQ in a letter dated February 20, 2004.

Footnotes:

¹ "Contamination" and "contaminated" describes media containing contaminants (in any form, NAPL and/or dissolved, vapors, or solids, that are subject to RCRA) in concentrations in excess of appropriately protective risk-based "levels" (for the media, that identify risks within the acceptable risk range).

² Recent evidence (from the Colorado Dept. of Public Health and Environment, and others) suggest that unacceptable indoor air concentrations are more common in structures above groundwater with volatile contaminants than previously believed. This is a rapidly developing field and reviewers are encouraged to look to the latest guidance for the appropriate methods and scale of demonstration necessary to be reasonably certain that indoor air (in structures located above (and adjacent to) groundwater with volatile contaminants) does not present unacceptable risks.

Current Human Exposures Under Control!
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3. Are there **complete pathways** between "contamination" and human receptors such that exposures can be reasonably expected under the current (land- and groundwater-use) conditions?

Summary Exposure Pathway Evaluation Table

Potential **Human Receptors** (Under Current Conditions)

"Contaminated" Media	Residents	Workers	Day-Care	Construction	Trespassers	Recreation	Food ³
Groundwater	—	—	—	—			—
Air (indoors)	—	—	—				
Soil (surface, e.g., <2 ft)	—	—	—	—	—	—	—
Surface Water	—	—			—	—	—
Sediment	—	—			—	—	—
Soil (subsurface e.g., >2 ft)				—			—
Air (outdoors)	—	—	—	—	—		

Instructions for Summary Exposure Pathway Evaluation Table

1. Strike-out specific Media including Human Receptors' spaces for Media which are not "contaminated") as identified in #2 above.
2. enter "yes" or "no" for potential "completeness" under each "Contaminated" Media -- Human Receptor combination (Pathway).

Note: In order to focus the evaluation to the most probable combinations some potential "Contaminated" Media - Human Receptor combinations (Pathways) do not have check spaces ("___"). While these combinations may not be probable in most situations they may be possible in some settings and should be added as necessary.

_____ If no (pathways are not complete for any contaminated media-receptor combination) - skip to #6, and enter "YE" status code, after explaining and/or referencing condition(s) in-place, whether natural or man-made, preventing a complete exposure pathway from each contaminated medium (e.g., use optional Pathway Evaluation Work Sheet to analyze major pathways).

_____ If yes (pathways are complete for any "Contaminated" Media - Human Receptor combination) - continue after providing supporting explanation.

_____ If unknown (for any "Contaminated" Media - Human Receptor combination) - skip to #6 and enter "IN" status code.

Rationale and Reference(s): _____

³ Indirect Pathway/Receptor (e.g., vegetables, fruits, crops, meat and dairy products, fish, shellfish, etc.)

Current Human Exposures Under Control
Environmental Indicator (EI) RCRIS code (CA725)

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- 4 Can the **exposures** from any of the complete pathways identified in #3 be reasonably expected to be **“significant”**⁴ (i.e., potentially “unacceptable” because exposures can be reasonably expected to be: 1) greater in magnitude (intensity, frequency and/or duration) than assumed in the derivation of the acceptable “levels” (used to identify the “contamination”); or 2) the combination of exposure magnitude (perhaps even though low) and contaminant concentrations (which may be substantially above the acceptable “levels”) could result in greater than acceptable risks)?

_____ If no (exposures can not be reasonably expected to be significant (i.e., potentially “unacceptable”) for any complete exposure pathway) - skip to #6 and enter “YE” status code after explaining and/or referencing documentation justifying why the exposures (from each of the complete pathways) to “contamination” (identified in #3) are not expected to be “significant.”

_____ If yes (exposures could be reasonably expected to be “significant” (i.e., potentially “unacceptable”) for any complete exposure pathway) - continue after providing a description (of each potentially “unacceptable” exposure pathway) and explaining and/or referencing documentation justifying why the exposures (from each of the remaining complete pathways) to “contamination” (identified in #3) are not expected to be “significant.”

_____ If unknown (for any complete pathway) - skip to #6 and enter “IN” status code.

Rationale and Reference(s): _____

⁴ If there is any question on whether the identified exposures are “significant” (i.e., potentially “unacceptable”) consult a human health Risk Assessment specialist with appropriate education, training and experience.

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- _____ If yes (all “significant” exposures have been shown to be within acceptable limits) - continue and enter “YE” after summarizing and referencing documentation justifying why all “significant” exposures to “contamination” are within acceptable limits (e.g., a site-specific Human Health Risk Assessment).
- _____ If no (there are current exposures that can be reasonably expected to be “unacceptable”) - continue and enter “NO” status code after providing a description of each potentially “unacceptable” exposure.
- _____ If unknown (for any potentially “unacceptable” exposure) - continue and enter “IN” status code

Rationale and Reference(s): _____

Current Human Exposures Under Control
 Environmental Indicator (EI) RCRIS code (CA725)
 Page 6

David Vachon
 EPA Region 6
 214-665-6767 (fax)
 David Vachon
 TCEQ, Planning
 214-239-2343 (phone)

6. Check the appropriate RCRIS status code for the Current Human Exposures Under Control EI event code (CA725), and obtain Supervisor (or appropriate Manager) signature and date on the EI determination below (and attach appropriate supporting documentation as well as a map of the facility):

 X YE - Yes. "Current Human Exposures Under Control" has been verified. Based on a review of the information contained in this EI Determination, "Current Human Exposures" are expected to be "Under Control" at the Phelps Dodge Refining Corporation facility, EPA ID #TXD048924989, located at El Paso, Texas under current and reasonably expected conditions. This determination will be re-evaluated when the Agency/State becomes aware of significant changes at the facility.

 NO - "Current Human Exposures" are NOT "Under Control."

 IN - More information is needed to make a determination.

Completed by

(signature)

Eleanor T. Wehner

Date

1/19/06

(print)

Eleanor T. Wehner

(title)

Project Manager

Supervisor

(signature)

Joyce Strotz

Date

1/19/06

(print)

Joyce Strotz

(title)

Supervisor

Texas Commission on Environmental Quality

Locations where References may be found:

TCEQ Central Records, Austin, Texas

Contact telephone and e-mail numbers:

Project Manager listed above

(512) 239-2343

correct@tceq.state.tx.us

Final Note: The purpose of the Human Exposures EI is to qualitatively screen exposures based on current land and groundwater use. A "YE" determination does not constitute a screening tool that ends the corrective action process. The "YE" determination may be changed at any time as new information becomes available.

DATA CHANGES

Sheep
Dodge

EPA IDENTIFICATION NUMBER/C101=12															TWC #/C116=6					PREPARER					DATE				
7 X D O O 7 3 9 2 1 4 4																				1-26-88									
Facility Name/C104=40																													
Mailing Address/C106=30																													
City/C107=25																				ST/C108=2									
Facility Contact Person/C105=30																				Zip/C109=5									
Location Address/C110=30																				Ownership Code/C102									
City/C111=25																				ST Dist/C115=2									
Owner's Name/C1503=40																				Zip/C112=5									
GEN TRN TSD UIC															C1105					C305					Other				
\$															5					\$					C 119 = \$				
Waste Codes to be added/C2701																				C					=				
Process Codes - Add - Delete - Change																									Waste Codes to be deleted/C2701				
C1801=3															C1802=13					C1803=1					C1804=1				
S O 4																				L									
C1801=3															C1802=13					C1803=1					C1804=1				
C1801=3															C1802=13					C1803=1					C1804=1				
Other Coding as necessary																													

Entered by: R.V.

Date Entered: 3.30.88

QC: 4/11/88 ^{AL} File Code: II, B.1

Do not make entries in shaded areas

ENVIRONMENTAL PROTECTION AGENCY

Generator Biennial Hazardous Waste Report for 1985 (cont.)

This report is for the calendar year ending December 31, 1985

GENERATOR'S NAME: Phelps Dodge Refining Corporation

Date rec'd: _____

Rec'd by: _____

KV. GENERATOR'S EPA I.D. NO.

TAC

5	TX	D	Q0	73	9	7	14	4	1
1	2						13	14	15

I. WASTE MINIMIZATION (narrative description)

In 1984, the volume of the Process Solution sent to the Solar Evaporator Ponds was 433,830 gallons. In 1985, the volume of this Process Solution was reduced to only 57,169 gallons. This reduction of 376,661 gallons represents 86.82% of the volume produced in 1984. These reductions were accomplished by a combination of the following:

1. The Copper Reduction System was changed from a Scrap Iron Copper Reduction to an Electrolytic Plating Reduction of the Copper Solution;
2. Weak contaminated solutions were used in the pH neutralization scrubber instead of fresh water make up. Thus the waste reduction emphasis also produced a fresh water conservation step;
3. Waste solutions which were generated separately from three distinct and independent departments were transferred from one department to the next for equipment washing, etc. with the result that the one final solution discharged from the last department was less in volume than the combined flow from the three departments in 1984.



P - C - L - W TRACKING

Phelps Dodge Copper
KG 3-20-86

P - C - L - W TRACKING

FACILITY ID: TXD 007397144

NEW ENTRY ^{XX}

CHANGE ENTRY -

DELETE ENTRY -

HEADER TYPE: ^P
ACTION ITEM: ⁴³ (C2001)HEADER TYPE SEQ NO: ⁰¹ (C2002)
TRACKING SEQ NO: ⁰¹ (C2102).RESPONSIBLE AGENCY: ^S (C2114)

RESPONSIBLE PERSON: --- (C2107)

DATE DUE: -----
(C2104) Y Y M M D DACTION DATE: ⁸⁵⁰⁸⁰⁸
(C2105)STATUS CODE: --
(C2106)

FREE FIELD 1: - (C2108)

FREE FIELD 2: -- (C2109)

FREE FIELD 3: --- (C2110)

FREE FIELD 4: --- (C2111)

FREE FIELD 5: --- (C2112)

FREE FIELD 6: --- (C2113)

(C2115) COMMENT TEXT (80 CHARACTERS MAXIMUM) :

PERMIT ACTION LINKED TO -----

PERMIT ACTION LINK CHANGED FROM ----- TO -----

DELETE PERMIT ACTION LINK TO -----

TEXAS WATER COMMISSION

Paul Hopkins, Chairman
Ralph Roming, Commissioner
John O. Houchins, Commissioner



Larry R. Soward, Executive Director
Mary Ann Hefner, Chief Clerk
James K. Rourke, Jr., General Counsel

February 11, 1986

Mr. Henry Onsgard, Acting Chief
Technical Section
Hazardous Waste Compliance Branch
Region VI - 6H-CP
U.S. Environmental Protection Agency
1201 Elm Street
Dallas, Texas 75270



Dear Mr. Onsgard:

Phelps Dodge TXD007397144

Re: Transmittal of RCRA Part B Permit Applications

Transmitted herewith are microfiche copies of Part B hazardous waste permit applications for the below-listed companies.

Should you have any questions please feel free to contact Mr. Cesar Farias or Mr. Rex Coffman at AC512/463-8193.

Sincerely,

Minor Brooks Hibbs

Minor Brooks Hibbs, Chief
Permits Section
Hazardous and Solid Waste Division

CAF:lab



Rollins Environmental Services	01429	TXD055141378
American Petrofina Inc.	30002	TXD065099160
Shell Chemical Company	30007	TXD067285973
DuPont De Nemours & Co., E.I.	30010	TXD008081101
Texaco Refining & Mktg Inc.	30026	TXD007399637
Badische Corp.	30024	TXD008081697
Exxon Company	30040	TXD000782698
Atchison, Topeka & Santa Fe Rwy	30065	TXD000778621
Fina Oil and Chemical Company	30083	TXD008013468
R Arco Petroleum Products Com.	30092	TXD082688979
Phelps Dodge Refining	30104	TXD007397144 -
Temple-Eastex Inc.	30112	TXD000821199
Phillips Petroleum Co.	30131	TXD041516709
✓ Texas Eastman Co.	30137	TXD007330202
Monsanto Co.	30138	TXD001700806
Tyler Pipe	30140	TXD066349770
Shell Oil Co.	30258	TXD026896290
Monsanto Co.	30285	TXD008079527
Air Products & Chemicals Inc.	30317	TXD990757486
Mostek Corp.	30362	TXD047830443
Ethyl Corp.	30465	TXD008096158
Koch Refining Co.	30529	TXD088474663
International Paper Co.	30568	TXD008077356
International Business Machines Corp.	30576	TXD041470543
Mobil Oil Corp.	30587	TXD990797714
Mobay Chemical Corp.	30603	TXD058260977
Chevron U.S.A. Inc.	30605	TXD054256391
Texaco Chemical Co.	30688	TXD041470980
Dixico Incorporated	30695	TXD098423536
Stauffer Chemical Co.	31019	TXD008099079
Smith, W.J. Wood Preserving Co.	31332	TXD066368879
Structural Metals, Inc.	31533	TXD008119414
Houston Lighting and Power	31633	TXD000837369
Sohio Chemical Co.	32164	TXD000751172
DuPont De Nemours & Co., Inc.	32212	TXD980627137
→ Transwestern Pipeline	32564	TXD095437216 -
Lubrizol Corp.	32630	TXD089741532
Paktank Corp.	33579	TXD000807982
Petro Processors Inc.	33648	TXD980745285
Temple-Eastex, Inc.	35814	TXD980626741
U.T. Health Sciences Center	65014	TXD071378822
Exxon Research & Engineering	30717	TXD040314338

R = Release indicated at Swmu

(TXD 007397144)
TXD 006739714

FILE
II, A, 3

TEXAS DEPARTMENT OF WATER RESOURCES

NOT LDF

C O N F E R E N C E R E C O R D

Project: Phelps - Dodge 30104

TXD007397144

Conference date: Nov 1, 1985 Place: SFA 215

Type of conference: permits/enforcement
(telephone, staff, formal or informal hearing,
other)

Attendance:

Name	Agency
see attached list	

Summary: Phelps-Dodge was informed that according to current interpretation of the mining waste exclusion they do not generate hazardous waste and do not require a Part B permit application. The company indicated they would submit an affidavit of exclusion to withdraw their permit application. Solid waste violations were addressed including discharge of metals in runoff water. The company intends to isolate areas contributing metals to runoff including storage areas for baghouse dust, slag, refractory brick and incinerator ash by changing waste management practices and installing berms. They also plan to close the existing surface impoundments and install a system to remove metals from the wastewater stream. A closure plan will be submitted for the surface impoundments and a schedule to address violations will be sent to the company via Executive Director letter.

Clarification of the mining waste exclusion by EPA is expected in the next year which may result in listing (K064) of a Phelps-Dodge waste stream.

Prepared by: Christy Smith

WILLIAM A. EVANS [1907-1978]
JOS. S. JENCKES, JR. [1908-1970]

LAW OFFICES

Evans, Kitchel & Jenckes, P.C.

2600 NORTH CENTRAL AVENUE
PHOENIX, ARIZONA 85004-3099
(602) 234-2600

DENISON KITCHEL
OF COUNSEL

TELECOPIER 602-234-8856

SCOTTSDALE OFFICE
SUITE B-III

6991 EAST CAMELBACK ROAD
SCOTTSDALE, ARIZONA 85251-2467

SUN CITIES OFFICE
BELL PLAZA PROFESSIONAL BLDG. SOUTH
17220 BOSWELL BOULEVARD
SUN CITY, ARIZONA 85373

JOHN F. BOLAND, JR.
EDWARD C. LEBEAU
BURTON M. APKER
NEWMAN R. PORTER
FRED E. FERGUSON, JR.
JERRY W. LAWSON
JERRY L. HAGGARD
F. PENDLETON GAINES III
ROBERT J. HACKETT
ARNE M. ROVICK
JOSEPH P. HENTON
KENNETH W. REEVES III
DAVID P. KIMBALL III
ALVIN H. SHRAGO
JOHN W. MAIN, JR.
DON J. MINER
GREGORY L. MAST
RANDALL S. YAVITZ
BARBARA M. TORREZ
JULIE A. DOHERTY
STEVEN J. CHRISTIANSEN
LINDA L. HUDSON
ROSS M. COOPER
J. STANTON CURRY
JAMES A. CRAFT
JAMES W. KAUCHER
BARBARA L. HULS
MICHAEL B. WOOD
TIMOTHY W. HOLT
CORINNE E. GIAGNORIO
LOUISE A. WERHO

JAMES M. BUSH
LESLIE T. JONES, JR.
STEPHEN W. POGSON
WILLIAM H. JURY
ROBERT R. MILLS [1944-1984]
GARY H. FRY
LEON D. BESS
LEX J. SMITH
JAMES G. SPEER
DEAN C. SHORT II
WILLIAM L. KURTZ
AMY R. COY
NATHAN R. NIEMUTH
BARRY J. DALE
RICHARD L. SALLOQUIST
STANTON A. SHAFFER
DAVID J. OUMETTE
STEVEN A. HIRSCH
DANIEL L. MUCHOW
JOHN J. FRIES
JOHN T. MOSHIER
DAVID F. GAONA
WILLIAM M. SHATTUCK
KATHERINE M. HARMAYER
CYNTHIA Y. MCCOY
JULIE J. STOCKWELL
JAMES M. BELIN
H. SULLIVAN BUNCH
STEPHEN D. TREUER
JAY S. KRAMER

January 30, 1985

Mr. Bob Lee
Enforcement and Field Operations Division
Texas Department of Water Resources
1700 North Congress Avenue
Austin, TX

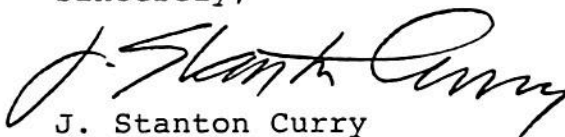
Re: Phelps Dodge El Paso Refinery

Dear Mr. Lee:

Enclosed please find the revised closure plan for the Phelps Dodge El Paso Refinery. This letter will confirm that Phelps Dodge is in the process of obtaining financial assurance for the revised closure plan through the National Bank of El Paso. We anticipate providing you with evidence of financial assurance from the bank within the next two weeks.

Thank you for your courtesy and cooperation in this matter.

Sincerely,



J. Stanton Curry
For EVANS, KITCHEL & JENCKES, P.C.

JSC/mm
Enclosure
cc w/encl. Mr. Jay Snow

RECEIVED

FEB 04 '85

ENFORCEMENT AND
FIELD OPERATIONS

Hazardous Industrial Solid Waste
Closure Plan

Ref: TAC 335.211 - 335.216

The two evaporator ponds will be closed by ceasing input, evaporating as much liquid as possible, and transporting the residue to our smelter at Douglas, Arizona.

The following costs are estimated for that time when residue fills the bottom 3 feet of the "Large Pond" and the bottom 5 feet of the "B.V. Pond".

1. "Large Pond"

Remove and load sludge into railroad cars 5,350 c.y. @2.00	10,700
Railroad freight to Douglas smelter @\$13.28 ton (1 c.y. = 1.5 tons)	106,572
Removal of Pond liner	3,000
Removal of surrounding earth, if required	10,000

2. "B.V. Pond"

Remove and load sludge into railroad cars 2,667 c.y. @2.00	5,334
Railroad freight to Douglas smelter @\$13.28/ton (1 c.y. = 1.5 tons)	53,127
Removal of pond liner	2,000
Removal of surrounding earth, if required	8,000

3. Soil tests for residual hazardous waste characteristics	10,000
4. Independent certification of closure by registered professional engineer	<u>15,000</u>

Total	223,733
-------	---------

Total closure time after ceasing use is estimated to be 2 years, 12 to 18 months to evaporate the liquid in the ponds and 6 months for removal of waste, soil analyses and certification.

BES 1-4-85

PHILIPS-DODGE Ref
EL Paso

TEXAS DEPARTMENT OF WATER RESOURCES

1700 N. Congress Avenue
Austin, Texas



Charles E. Nemir
Executive Director

TEXAS WATER DEVELOPMENT BOARD

Louis A. Beecherl, Jr., Chairman
George W. McCleskey, Vice Chairman
Glen E. Roney
W. O. Bankston
Lonnie A. "Bo" Pilgrim
Louie Welch

TEXAS WATER COMMISSION

Paul Hopkins, Chairman
Lee B. M. Biggart
Ralph Roming

June 11, 1984

CERTIFIED MAIL-RETURN RECEIPT REQUESTED
NO. P 656 965 749

Phelps-Dodge Refining Corporation
P O Box 20001
El Paso, Texas 79998

Attention: Mr. Bobby Stephens,
Plant Engineer

Dear Mr. Stephens:

Re: Industrial Solid Waste Registration No. 30104 Compliance
Inspection.

On May 3, 1984, Texas Department of Water Resources representative Jim Gooris of our District 10 office in Odessa visited your facility for an industrial solid waste compliance inspection. During the inspection the following violations were noted:

1. Texas Administrative Code Section 335.6 requires that a generator of industrial solid waste immediately notify the Executive Director of any information relating to the management of such waste. We understand that baghouse dust, slag and furnace bricks are generated at your facility and are recycled for their metals value. Please be advised that these, and any other, recycled wastes must be managed as wastes until they are recycled. Please request that your recycled waste be included on your solid waste registration. This request may be submitted to the Department's Central Office, Permits Division, Solid Waste Section (See address below).
2. As required by TACS 335.114 (attached), your facility must develop and follow a written waste analysis plan. In addition, under TACS 335.62, all wastes generated must be determined to be hazardous or nonhazardous. During the May 3 inspection, no such analyses or determinations were available.

3. The owner or operator of a hazardous waste facility must develop and follow a written inspection schedule to inspect hazardous waste facilities as defined by TACS 335.116 and 335.285. Records of such inspections shall be kept available for inspection by department representatives.
4. The owner or operator of a hazardous waste facility must make arrangements with local emergency response authorities as required by TACS 335.147. We understand that such arrangements to familiarize local authorities with your facility have not been completed.
5. Contingency plans and emergency procedures as required by TACS 335.151-335.157 must be prepared for your facility. A contingency plan as required by these sections was not available for inspection during the May 3 inspection.
6. The owner or operator of a hazardous waste facility must keep a written operating record of the location and disposition and amount of each hazardous waste at the facility. Requirements for this operating record are outlined in TACS 335.173.
7. A closure/post-closure plan must be prepared for your facility as required by TACS 335.211-335.220. Review of your facility's present closure plan indicates that this plan is not adequate to meet these requirements. Specific items not met are as follows:
 - a). Decontamination of equipment and structures
 - b). Specifications which will be met to assure closure standards are met (analytical parameters, sampling method, extent of sampling, etc)
 - c). The expected year of the closure
 - d). A final schedule for closure
8. Personnel training as required by TACS 335.117 must be conducted at your facility. This training must train employees to perform their duties in a way which insures the facility's compliance with the rules of the department. Records of this training must be kept available for inspection by department representatives.
9. Financial assurance for your closure/post-closure cost estimate must be submitted as required by 40 CFR, Part 265, Subpart H. No such document has been received.
10. Proof of sudden release liability insurance must be submitted as required by 40 CFR, Part 265, Subpart H. No such document has been received.

Please respond in writing within thirty (30) days with your actions

June 11, 1984

to correct each of these violations and the dates by which these actions will be completed. Should you require assistance please contact me or Mr. Gooris at the District 10 office.

Sincerely,

Jim Gooris for

William F. Lockey,
District Supervisor

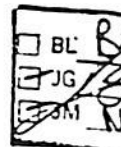
WFL/JG:pb

Attachment

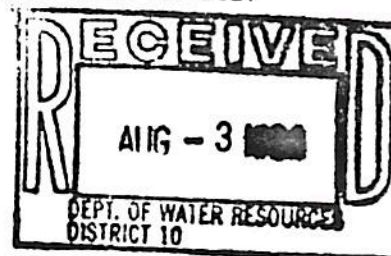
cc Solid Waste and Spill Response Section-Austin



El Paso Works • P.O. Box 20001, El Paso, Texas 79998 • (915) 778-9881



July 30, 1984



Mr. William F. Lockey
District 10 Supervisor
204-A W. 5th Street
Odessa, Texas 79761

Re: Industrial Solid Waste Registration No. 30104 Compliance
Inspection

Dear Mr. Lockey:

Your June 11, 1984 letter to Phelps Dodge Refining Corporation listed ten violations which allegedly have been occurring at the El Paso refinery with regard to three materials: baghouse dust, slag, and furnace bricks.

Phelps Dodge is anxious to cooperate with the Texas Department of Water Resources to resolve this matter. However, we believe that these three materials which are reused and/or recycled at the refinery are not subject to the regulatory provisions identified in your letter of June 11, 1984. For this reason, the following comments are submitted for your consideration.

Solid Waste Regulation

In the first paragraph of your letter, Phelps Dodge is advised of the notification and registration requirements under TACS 335.6. You mentioned that "recycled wastes must be managed as wastes until they are recycled." Phelps Dodge's materials are recycled but they are not wastes under the regulatory definitions.

Solid Waste Definition

Subchapter A of the TAC regulates industrial solid waste. The definition of solid waste in TACS 335.1 is substantially equivalent to that in 40 C.F.R. § 261.2(a). The materials in question--baghouse dust, slag, and furnace bricks--are not garbage, refuse, or sludge. If they are to be characterized as solid waste, they must be considered "other waste material." This is defined as "any solid, liquid, semi-solid or contained

Mr. William F. Lockey
July 30, 1984
Page 2

gaseous material resulting from industrial, commercial, mining or agricultural operations, or from community activities which ... is discarded or sometimes discarded. 40 C.F.R. § 261.2(b). "A material is 'discarded' if it is abandoned and not used, re-used, reclaimed or recycled ..." 40 C.F.R. § 261.2(c).

All three of the materials in question (baghouse dust, slag, and furnace bricks) are recycled, that is, they are not discarded nor sometimes discarded at the El Paso refinery. Indeed baghouse dusts are recycled to recover high copper concentrations. The slag is recycled to recover copper and other metal values. The furnace bricks are recovered for reuse in the furnace and elsewhere. An economic incentive exists to properly reuse these materials. Thus, they should not be classified as "other waste material" under the federal definition or "other discarded material" under the Texas definition. Materials, such as those of Phelps Dodge, which are not "garbage, refuse, sludge or any other waste material" are not solid wastes. TACS 335.6 applies to "the on-site storage, processing, or disposal of industrial solid waste..." The Phelps Dodge materials are not solid waste and therefore should not be subject to this regulation.

Proposed Amendment to Solid Waste Definition

On April 4, 1983, the EPA proposed an amendment to the definition of solid waste (expected to go into effect at the end of this year) which further illustrates on intention to exclude recycled materials, such as those of Phelps Dodge, from any waste regulation. Two problems with the current definition were noted. First, materials are currently defined as solid wastes even "if they are being recycled in a manner not ordinarily thought of as waste management." Proposed rules, 48 FED. Reg. 14,475 (1983). The second problem deals with the "sometimes discarded" test which may exist in the Texas definition by inference. EPA has recognized that the "sometimes discarded" test, although never intended, would categorize many product-like materials as solid wastes under a literal reading of the current regulations. Id.

The new proposed definition bases a material's regulatory status on what the material is and how it is actually managed. In addition, only those recycling activities which pose a significant potential for environmental harm would be regulated. The EPA has found that when a generator retains control of the recycled material, it can generally assure a market for materials. On the other

NOV 18 1983

Kenneth S. Jagmin
Special Risks Department
Shand, Morahan and Company, Inc.
One American Plaza
Evanston, Illinois 60201

Reference: Phelps Dodge Copper Products Co. - TXD 04 892 4989
Phelps Dodge Refining Corporation - TXD 00 739 7144

Dear Mr. Jagmin:

Thank you for your recent submittal of the required documentation to show compliance with the Resource Conservation and Recovery Act (RCRA) financial regulations, 40 CFR 265, Subpart H, as amended on April 7, 1982, 47 FR 16032, and April 16, 1982, 47 FR 16544. The State of Texas is authorized to operate an equivalent financial program in lieu of the Environmental Protection Agency. Therefore, by copy of this letter, your submittal is being forwarded to:

Mr. Robert G. Brydson, Jr.
Texas Department of Water Resources
P. O. Box 13087, Capitol Station
Austin, Texas 78711
(512) 475-3345

If you have any questions, please call Henry Onsgard at (214) 767-9720 or me at (214) 767-2645.

Sincerely yours,

Guanita S. Reiter, Acting Chief
State Programs Section

cc: Texas Department of Water Resources

6AW-HP:Hood:7-9725:nb:11/16/83

CONCURRENCES							
SYMBOL							
SURNAME							
DATE							

November 8, 1983

Environmental Protection Agency
1201 Elm Street
Dallas, TX 75270

Re: Phelps Dodge Corp.
Environmental Impairment Liability

Policy No.: IE 100107

Location: Phelps Dodge Copper Products Co.
897 Hawkins Road, P.O. Box 20200
El Paso, TX 79998 TXD 04 892 4989

Phelps Dodge Refining Corporation
6999 North Loop Road
El Paso, TX 79998 TXD 00 739 7144

Period: From January 14, 1983 to January 14, 1984

Insurer: Evanston Insurance Company

Gentlemen:

Please take notice that this insurance issued to you through the undersigned is hereby cancelled effective on the 8th day of January, 1984 at 12:01 AM Standard Time at the place of your address written above.

This notice of cancellation is given to you pursuant to the conditions of said insurance and all liability thereunder will cease and terminate at said time and date. Upon written request within 30 days of the cancellation effective date, the undersigned will furnish on behalf of the insurer the reason for cancellation.

Very truly yours,

SHAND, MORAHAN & COMPANY, INC.

BY: *Kenneth S. Jagmin*
Kenneth S. Jagmin
Special Risks Department

KSJ/jlm

cc: Mr. Frank Collin
Frank B. Hall & Co.
88 Pine Street
Wall Street Plaza
New York, NY 10005

Phelps Dodge Corp.
300 Park Avenue
New York, NY 10022

CABLE: SHANMOR / TELEX: 72-4328

UNDERWRITING MANAGERS / REINSURANCE / EXCESS AND SPECIALTY LINES





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VI

1201 ELM STREET

DALLAS, TEXAS 75270

August 20, 1982

Mr. B. H. Spoon
Phelps Dodge Refining Corporation
El Paso Works
P. O. Box 20001
El Paso, Texas 79998

Reference: TXD 00 739 7144

Dear Mr. Spoon:

Thank you for your recent submittal of the required documentation to show compliance with the Resource Conservation and Recovery Act (RCRA) financial regulations, 40 CFR 265, Subpart H, as amended on April 7, 1982, 47 FR 16032, and April 16, 1982, 47 FR 16544. The State of Texas is authorized to operate an equivalent financial program in lieu of the Environmental Protection Agency. Therefore, your submittal has been forwarded to:

Mr. Robert G. Brydson, Jr.
Texas Department of Water Resources
P. O. Box 13087, Capitol Station
Austin, Texas 78711
(512) 475-3345

If you have any questions, please call Henry Onsgard at (214) 767-8941 or me at (214) 767-2645.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "R. Stan Jorgensen", is written over the typed name.

for R. Stan Jorgensen, Chief
Hazardous Materials Branch

cc: Texas Department of Water Resources

RCRA File



Refining Corporation El Paso Works • P.O. Box 20001, El Paso, Texas 79936 • (915) 778-9831

August 10, 1982

United States of America
Environmental Protection Administration - Region VI
First International Building
1201 Elm Street
Dallas, Texas 75270

Attn: RCRA Financial Requirements
Mr. Henry Onsgard

Dear Mr. Onsgard:

Enclosed is a letter from the insurance broker for our Corporation, Frank B. Hall & Co., which explains our status in attaining compliance with RCRA requirements for financial assurance for closure of our hazardous waste facilities. (We do not currently anticipate a program of post-closure care.)

As Mr. Collin points out, insurance of this type is of limited availability at the present time; but the Corporation is continuing to pursue full compliance with the regulations. If you have any questions, please contact me.

Sincerely,

B. H. Spoon

BHS/KSH/kc

Enclosure

cc: Richard Van Wagoner, Jr. - New York
Corporate Risk Manager





Frank B. Hall & Co.
International Aviation Division
261 Madison Avenue
New York, N.Y. 10016

August 3, 1982

United States of America
Environmental Protection Administration - Region VI
First International Building
1201 Elm Street
Dallas, Texas 75270

Attn: RCRA Financial Requirements
Mr. Henry Onsgard

Phelps Dodge Corporation
Phelps Dodge Refining Corporation
El Paso, Texas - Refinery and Environs
EPA No.: ~~(Unavailable)~~ TX D007397144
Closure and Post-Closure Insurance

Gentlemen:

This is written at the request of Phelps Dodge Refining Corporation to advise that this office at PDRC's request is currently working on the development and procurement of closure and post-closure insurance meeting applicable CFR specifications.

You are of course aware of the unsettled and limited state of the private insurance market for this product at the moment.

We will endeavor to keep EPA posted on progress with the placement if carried out or in the alternative, should PDRC elect to satisfy the financial responsibility requirements by other means, what those means are to be.

Yours very truly,

Frank C. Collin
Vice President

FCC/le



El Paso Works • P. O. Box 20001, El Paso, Texas 79998 • (915) 778-9881

TXD 007397144

June 9, 1982

Texas Department of Water Resources
P. O. Box 13087
Capitol Station
Austin, Texas 78711

Attention: Minor B. Hibbs, Permits Section

Re: Solid Waste Registration #30104

Dear Mr. Hibbs:

I wish to update and correct our notice of registration #30104 as recommended by Mr. Gary Raven of the District 10 Office.

1. The "person in charge" is the undersigned,
Karen S. Heckmann.

2. The "number of employees" is currently fewer than 500.

3. For section "I. Waste Generated":

a. "01 Construction debris and non-combustible waste" is now being disposed of offsite.

b. "04 Air pollution scrubber waste" is not a uniquely identifiable waste as it exits our production area. The scrubber residue undergoes further processing for copper recovery. The only waste stream leaving this process is "07 Wastewater containing acids, metals, oils, and solvents" which contains anything that might be left over from processing the scrubber waste.

Therefore, "04 Air pollution scrubber waste" should be deleted from our notice of registration.

CARD FP

open. name

HECKMAN, KAREN S.

entered 8/13/82

Mr. Minor B. Hibbs
Page 2
June 9, 1982

4. For section "III. On-site Waste Management Facilities":
 - a. "01 Landfill (Type Unspecified)" is now for disposal of waste 03 only. (Why waste 07 was ever listed here is a complete mystery.)
 - b. "03 Waste Treatment Facility" is for storage of waste 07 only. As discussed above, waste 04 should be deleted from the notice of registration because it is not a uniquely identifiable waste but is effectively included in waste 07.

5. For section "IV. Records":

Again "04 100550 Air Pollution Scrubber Waste" should be deleted.

If you have any questions or need additional information about these requested changes, please contact me at (915) 778-9881 Extension 251.

Yours truly,



Karen S. Heckmann
Engineer

KSH/kc

EPA ID- PHelps 0006

LOTOR TX
Date 8/17/82

Name TXD 00 739 7144

An EPA review of the attached financial information indicates the following:

- ☐ Material appears to be in order.
- ☐ The following deficiencies have been noted:

Closure-postclosure

- ☐ No closure-postclosure information submitted
- ☐ Trust fund does not meet required wording of Paragraph 264.151(a)
- ☐ Surety bond does not meet required wording of Paragraph 264.151(b)
- ☐ Letter of credit does not meet required wording of Paragraph 264.151(d)
- ☐ Insurance policy does not meet required wording of Paragraph 264.151(e)
- ☐ Fails financial test for closure
- ☐ Fails financial test for postclosure
- ☐ Original signatures do not appear on documentation
- ☐ Letter from chief financial officer does not meet required wording of Paragraph 264.151(f)
- ☐ Corporate guarantee does not meet required wording of Paragraph 264.151(g)
- ☐ Inadequate/missing CPA audit of financial statement and/or accountant's opinions
- ☐ Fails to address all U.S. facilities
- ☐ Fails to include closure/postclosure cost estimates
- ☐ Insufficient/missing CPA special report
- ☐ Other _____

Liability

- ☐ No liability information submitted
- ☐ Insurer not qualified
- ☐ Insurance certificate does not meet required wording of Paragraph 264.151(j)
- ☐ Insurance endorsement does not meet required wording of Paragraph 264.151(i)
- ☐ Policy limits are beneath RCRA minimums
- ☐ Policy not in effect by required date
- ☐ Original signatures do not appear on documentation
- ☐ Fails financial test for liability
- ☐ Letter from chief financial officer does not meet required wording of Paragraph 264.151(g)
- ☐ Inadequate/missing CPA audit of financial statement and/or accountant's opinions
- ☐ Fails to address all U.S. facilities
- ☐ Original signatures do not appear on documentation
- ☐ Other _____

INTEROFFICE MEMORANDUM

DATE: 3/6/92

SUBJECT: Company: Phelps Dodge Ref. - El Paso
Site : _____

Other: _____

Confidential material associated with these documents ~~(IS/IS NOT)~~ being held in the solid waste section for review.

RECEIVED
MAR 17 1982
11:11 AM

FORM 1		ENVIRONMENTAL PROTECTION AGENCY	
GENERAL		GENERAL INFORMATION	
		<i>Consolidated Permits Program</i>	
		<i>(Read the "General Instructions" before starting.)</i>	
LABEL ITEMS			
I. EPA I.D. NUMBER		TXD007397144	
III. FACILITY NAME		PHELPS DODGE REFINING CORP	
V. FACILITY MAILING ADDRESS		PO BOX 20001 EL PASO TX 79998	
VI. FACILITY LOCATION		N LOOP RD EL PASO TX 79998	

I. EPA I.D. NUMBER												
TXD007397144												
GENERAL INSTRUCTIONS												
If a preprinted label has been provided, affix it in the designated space. Review the information carefully; if any of it is incorrect, cross through it and enter the correct data in the appropriate fill-in area below. Also, if any of the preprinted data is absent (the area to the left of the label space lists the information that should appear), please provide it in the proper fill-in area(s) below. If the label is complete and correct, you need not complete items I, III, V, and VI (except VI-B which must be completed regardless). Complete all items if no label has been provided. Refer to the instructions for detailed item descriptions and for the legal authorizations under which this data is collected.												

II. POLLUTANT CHARACTERISTICS

INSTRUCTIONS: Complete A through J to determine whether you need to submit any permit application forms to the EPA. If you answer "yes" to any questions, you must submit this form and the supplemental form listed in the parenthesis following the question. Mark "X" in the box in the third column if the supplemental form is attached. If you answer "no" to each question, you need not submit any of these forms. You may answer "no" if your activity is excluded from permit requirements; see Section C of the instructions. See also, Section D of the instructions for definitions of bold-faced terms.

SPECIFIC QUESTIONS	MARK 'X'			SPECIFIC QUESTIONS	MARK 'X'		
	YES	NO	FORM ATTACHED		YES	NO	FORM ATTACHED
A. Is this facility a publicly owned treatment works which results in a discharge to waters of the U.S.? (FORM 2A)		X		B. Does or will this facility (either existing or proposed) include a concentrated animal feeding operation or aquatic animal production facility which results in a discharge to waters of the U.S.? (FORM 2B)		X	
C. Is this a facility which currently results in discharges to waters of the U.S. other than those described in A or B above? (FORM 2C)		X		D. Is this a proposed facility (other than those described in A or B above) which will result in a discharge to waters of the U.S.? (FORM 2D)		X	
E. Does or will this facility treat, store, or dispose of hazardous wastes? (FORM 3)	X		X	F. Do you or will you inject at this facility industrial or municipal effluent below the lowermost stratum containing, within one quarter mile of the well bore, underground sources of drinking water? (FORM 4)		X	
G. Do you or will you inject at this facility any produced water or other fluids which are brought to the surface in connection with conventional oil or natural gas production, inject fluids used for enhanced recovery of oil or natural gas, or inject fluids for storage of liquid hydrocarbons? (FORM 4)		X		H. Do you or will you inject at this facility fluids for special processes such as mining of sulfur by the Frasch process, solution mining of minerals, in situ combustion of fossil fuel, or recovery of geothermal energy? (FORM 4)		X	
I. Is this facility a proposed stationary source which is one of the 28 industrial categories listed in the instructions and which will potentially emit 100 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5)		X		J. Is this facility a proposed stationary source which is NOT one of the 28 industrial categories listed in the instructions and which will potentially emit 250 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5)	X		

III. NAME OF FACILITY

1	SKIP	PHELPS DODGE REFINING CORP
---	------	----------------------------

IV. FACILITY CONTACT

A. NAME & TITLE (last, first, & title)		B. PHONE (area code & no.)	
2	STEPHENS BOBBY ENGR	915	778 9881

V. FACILITY MAILING ADDRESS

A. STREET OR P.O. BOX		B. CITY OR TOWN		C. STATE	D. ZIP CODE
3	P.O. BOX 20001	4	EL PASO	TX	79998

VI. FACILITY LOCATION

A. STREET, ROUTE NO. OR OTHER SPECIFIC IDENTIFIER		B. COUNTY NAME		C. CITY OR TOWN		D. STATE	E. ZIP CODE	F. COUNTY CODE (if known)
5	N.O. LOOP RD	6	EL PASO	6	EL PASO	TX	79998	

FORM 3
EPA
RCRA
HAZARDOUS WASTE PERMIT APPLICATION
Consolidated Permits Program
(This information is required under Section 3005 of RCRA.)

I. EPA I.D. NUMBER
FTXD00739714431

FOR OFFICIAL USE ONLY

APPLICATION APPROVED
[X]
DATE RECEIVED
(yr., mo., & day)
8 0 1 1 1 9

COMMENTS

II. FIRST OR REVISED APPLICATION

Place an "X" in the appropriate box in A or B below (mark one box only) to indicate whether this is the first application you are submitting for your facility or a revised application. If this is your first application and you already know your facility's EPA I.D. Number, or if this is a revised application, enter your facility's EPA I.D. Number in Item I above.

A. FIRST APPLICATION (place an "X" below and provide the appropriate date)

2. NEW FACILITY (Complete item below.)

1. EXISTING FACILITY (See instructions for definition of "existing" facility. Complete item below.)

FOR EXISTING FACILITIES, PROVIDE THE DATE (yr., mo., & day) OPERATION BEGAN OR THE DATE CONSTRUCTION COMMENCED (use the boxes to the left)
YR. 8 MO. 0 DAY 27

FOR NEW FACILITIES, PROVIDE THE DATE (yr., mo., & day) OPERATION BEGAN OR IS EXPECTED TO BEGIN
YR. MO. DAY

B. REVISED APPLICATION (place an "X" below and complete Item I above)

2. FACILITY HAS A RCRA PERMIT

III. PROCESSES - CODES AND DESIGN CAPACITIES

A. PROCESS CODE - Enter the code from the list of process codes below that best describes each process to be used at the facility. Ten lines are provided for entering codes. If more lines are needed, enter the code(s) in the space provided. If a process will be used that is not included in the list of codes below, then describe the process (including its design capacity) in the space provided on the form (Item III-C).

B. PROCESS DESIGN CAPACITY - For each code entered in column A enter the capacity of the process.

1. AMOUNT - Enter the amount.

2. UNIT OF MEASURE - For each amount entered in column B(1), enter the code from the list of unit measure codes below that describes the unit of measure used. Only the units of measure that are listed below should be used.

PRO-CESS CODE **APPROPRIATE UNITS OF MEASURE FOR PROCESS DESIGN CAPACITY**

Storage:
CONTAINER (barrel, drum, etc.) S01 GALLONS OR LITERS
TANK S02 GALLONS OR LITERS
WASTE PILE S03 CUBIC YARDS OR CUBIC METERS
SURFACE IMPOUNDMENT S04 GALLONS OR LITERS

Disposal:
INJECTION WELL D79 GALLONS OR LITERS
LANDFILL D80 ACRE-FEET (the volume that would cover one acre to a depth of one foot) OR HECTARE-METER
LAND APPLICATION D81 ACRES OR HECTARES
OCEAN DISPOSAL D82 GALLONS PER DAY OR LITERS PER DAY
SURFACE IMPOUNDMENT D83 GALLONS OR LITERS

Treatment:

TANK T01 GALLONS PER DAY OR LITERS PER DAY
SURFACE IMPOUNDMENT T02 GALLONS PER DAY OR LITERS PER DAY
INCINERATOR T03 TONS PER HOUR OR METRIC TONS PER HOUR; GALLONS PER HOUR OR LITERS PER HOUR
OTHER (Use for physical, chemical, thermal or biological treatment processes not occurring in tanks, surface impoundments or incinerators. Describe the processes in the space provided; Item III-C.) T04 GALLONS PER DAY OR LITERS PER DAY

UNIT OF MEASURE **UNIT OF MEASURE CODE**

GALLONS.....G
LITERS.....L
CUBIC YARDS.....Y
CUBIC METERS.....C
GALLONS PER DAY.....U

UNIT OF MEASURE **UNIT OF MEASURE CODE**

LITERS PER DAY.....V
TONS PER HOUR.....D
METRIC TONS PER HOUR.....W
GALLONS PER HOUR.....E
LITERS PER HOUR.....H

UNIT OF MEASURE **UNIT OF MEASURE CODE**

ACRE-FEET.....A
HECTARE-METER.....F
ACRES.....B
HECTARES.....Q

EXAMPLE FOR COMPLETING ITEM III (shown in line numbers X-1 and X-2 below): A facility has two storage tanks, one tank can hold 200 gallons and the other can hold 400 gallons. The facility also has an incinerator that can burn up to 20 gallons per hour.

D U P				T/A/C					
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15				16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32					
LINE NUMBER	A. PRO-CESS CODE (from list above)	B. PROCESS DESIGN CAPACITY		FOR OFFICIAL USE ONLY	LINE NUMBER	A. PRO-CESS CODE (from list above)	B. PROCESS DESIGN CAPACITY		FOR OFFICIAL USE ONLY
		1. AMOUNT (specify)	2. UNIT OF MEASURE (enter code)				1. AMOUNT	2. UNIT OF MEASURE (enter code)	
X-1	S 0 2	600	G		5				
X-2	T 0 3	20	E		6				
1	S 0 4	3 000 000.000 500,000.000	G		7				
2	S 0 4	2,500,000.000	G		8				
3					9				
4					10				

NOTE: Photocopy this page before completing if you have more than 26 wastes to list.

EPA I.D. NUMBER (enter from page 1)													FOR OFFICIAL USE ONLY																
W	T	X	D	0	0	7	3	9	7	1	4	4	T/A	C	W	T	X	D	0	0	7	3	9	7	1	4	4	T/A	C
													DUP																
IV. DESCRIPTION OF HAZARDOUS WASTES (continued)																													
LINE NO.	A. EPA HAZARD. WASTE NO. (enter code)				B. ESTIMATED ANNUAL QUANTITY OF WASTE				C. UNIT OF MEASURE (enter code)		D. PROCESSES																		
											1. PROCESS CODES (enter)								2. PROCESS DESCRIPTION (if a code is not entered in D(1))										
1	D	0	0	4	1725.000 3,450,000				L		S 0 4																		
2	D	0	0	4															Included with Above										
3																													
4																													
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25																													
26																													

HAZARDOUS WASTE ADMINISTRATIVE CHECK LIST

- | | | |
|--|---|--|
| 1. Active Corporation | Yes () | No () |
| 2. Postage Fee Present | Yes (<input checked="" type="checkbox"/>) | No () |
| 3. Signature Page (Original) Signed by
Appropriate Person | Yes (<input checked="" type="checkbox"/>) | No () |
| 4. Signature Page Notarized | Yes (<input checked="" type="checkbox"/>) | No () |
| 5. Acceptable List of Landowners and
Their Addresses | Yes () | No (<input checked="" type="checkbox"/>) |
| 6. Acceptable Map of Landowner Locations | Yes () | No (<input checked="" type="checkbox"/>) |
| 7. Mandatory Attachments Identified on
Page 16 | Yes () | No () |
| a. USGS Map | Yes (<input checked="" type="checkbox"/>) | No () |
| b. Site Legal Description | Yes (<input checked="" type="checkbox"/>) | No () |
| c. Hazardous Waste Facility Component
Summary Sheet | Yes (<input checked="" type="checkbox"/>) | No () |
| d. Facility Boundaries and Adjacent
Waters Map | Yes (<input checked="" type="checkbox"/>) | No () |
| e. Photographs | Yes () | No (<input checked="" type="checkbox"/>) |
| f. Process Flow Diagram/Description | Yes () | No (<input checked="" type="checkbox"/>) |
| g. Copy of Lease if Site is not
Owned by Applicant | N/A Yes () | No () |

1. Phelps Dodge Refining Corp.
2. El Paso

C#

10691

DEPARTMENT OF WATER RESOURCES

PERMIT APPLICATION
FOR

INDUSTRIAL SOLID WASTE STORAGE/PROCESSING/DISPOSAL FACILITY

PART A - FACILITY BACKGROUND INFORMATION

APPLY NO.	03702
COUNTY-DIST.	10691
RECEIVED BY	10691
ADM. REVIEW BY	10691
COPIES SENT	10691
(CHECK)	10691

I. GENERAL INFORMATION

ACTIVE C# 006142 Dist-10

A. Applicant: Phelps Dodge Refining Corp.
(Individual, Corporation, or Other Legal Entity Name)

Address: P. O. Box 20,001

City: El Paso State: Texas Zip Code: 79998

Telephone Number: (915) 778-9881

B. Authorized Agents

1. List those persons or firms authorized to act for the applicant during the processing of the permit application. Also indicate the capacity in which each person may represent the applicant (engineering, legal, etc.). The person listed first will be the primary recipient of correspondence regarding this application. Include the complete mailing addresses and phone numbers.

B. H. Spoon, Plant Manager
L. R. Hammond, Plant Engineer
B. E. Stephens, Engineer

2. List the individual and his/her mailing address that will be responsible for causing any necessary public notices to be published in the newspaper.

Name: B. E. Stephens

Address: P. O. Box 20,001

City: El Paso State: Texas Zip Code: 79998

Telephone Number: (915) 778-9881

RECEIVED

AUG 20 1980

PERMIT CONTROL
TDWR

3. List the applicant's authorized agent for service.

Name: B. H. Spoon

Address: P. O. Box 20,001

City: El Paso State: Texas Zip Code: 79998

Telephone Number: (915) 778-9881

C. Operator: Identify the entity who will conduct facility operations.
If same as applicant, state "same as applicant."

Name: Same as above

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: _____

D. Ownership

1. Indicate the ownership status of the facility:

a. Private X

- (1) Corporation X
- (2) Partnership _____
- (3) Proprietorship _____
- (4) Non-profit organization _____

b. Public _____

- (1) Federal _____
- (2) Military _____
- (3) State _____
- (4) Regional _____
- (5) County _____
- (6) Municipal _____

c. Other (specify) _____

2. Is facility and site property owned by applicant?

X Yes _____ No

If you checked "no",

- a. Submit as an attachment a copy of the lease for use of said facility and/or site property, as appropriate; and
- b. Identify the facility owner. If same as applicant in Part A above, state "same as applicant." If different from the applicant, please note that the owner is required to sign the application on page 5.

Name: Same as applicant

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: _____

E. Type of Permit Application:

1. New X
2. Amendment _____ (TDWR Permit Number: _____)

F. Registration and Permit Information

1. Denote your TDWR Solid Waste Registration Number. If none, state "none."
30104

2. Indicate (by listing the permit number(s) in the appropriate column below) all existing or pending State and/or Federal permits or construction approvals which pertain to pollution control or industrial solid waste management activities conducted by your plant or at your location. Complete each blank by entering the permit number, or the date of application, or "none".

Relevant Program and/or Law

	<u>Permit No.</u>	<u>Government Agency*</u>
a. Texas Solid Waste Disposal Act	<u>30104</u>	<u>TDWR</u>
b. Wastewater disposal under the Texas Water Code	<u>00461</u>	<u>TDWR</u>
c. Underground injection under the Texas Water Code	<u>None</u>	_____
d. Texas Clean Air Act	<u>R-147 thru R-151</u>	<u>TACB</u>
e. Texas Uranium Surface Mining & Reclamation Act	<u>None</u>	_____
f. Texas Surface Coal Mining & Reclamation Act	<u>None</u>	_____
g. Hazardous Waste Management program under the Resource Conservation and Recovery Act	<u>None</u>	_____

- | | | |
|--|-------------|-------------------|
| h. UIC program under the Safe Drinking Water Act | <u>None</u> | <u> </u> |
| i. NPDES program under the Clean Water Act | <u>None</u> | <u> </u> |
| j. PSD program under the Clean Air Act | <u>None</u> | <u> </u> |
| k. Nonattainment program under the Clean Air Act | <u>None</u> | <u> </u> |
| l. National Emission Standards for Hazardous Pollutants (NESHAPS) preconstruction approval under the Clean Air Act | <u>None</u> | <u> </u> |
| m. Ocean dumping permits under the Marine Protection Research and Sanctuaries Act | <u>None</u> | <u> </u> |
| n. Dredge or fill permits under section 404 of the Clean Water Act | <u>None</u> | <u> </u> |
| o. Other relevant environmental permits | <u>None</u> | <u> </u> |

* Use the following acronyms for each agency as shown below:

TDWR = Texas Department of Water Resources
TACB = Texas Air Control Board
TRC = Texas Railroad Commission
TDH = Texas Department of Health
TDA = Texas Department of Agriculture
EPA = U. S. Environmental Protection Agency
CORPS = U. S. Army Corps of Engineers

G. Description of Business

1. Give a brief description of the nature of your business.

Electrolytic Refining of Copper

2. List the principal products and/or services which are provided by your plant. Please itemize by Standard Industrial Classification (SIC) codes.

33 Electrolytic Cathodes
Wirebars
Ingot Bars

I, B. H. Spoon, Plant Manager
(Name) (Title)

I, B. E. Stephens, Engineer
(Name) (Title)

Certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete.

Signature: B. H. Spoon, Date: 8-20-80

Signature: B. E. Stephens, Date: 8-20-80

SUBSCRIBED AND SWORN to before me by the said

on this 20TH day of August, 19 80.

My commission expires on the

T. C. MAHONEY, Notary Public

In and for El Paso County, Texas

My commission expires June 1, 1981

Thomas C. Mahoney
Notary Public (In and for)

El Paso County, Texas

TEXAS DEPARTMENT OF WATER RESOURCES

DATE 8/22/80

AUSTIN, TEXAS

RECEIPT NO. 803702

RECEIVED FROM

Phelps Dodge Refining Corp.

AMOUNT 5.00

ADDRESS

El Paso, Texas

Suspense Fund 900

FY _____ CC _____

Sales Tax Fund 961

FY _____ CC _____

General Rev. Fd 1, Unappropriated

FY _____ CC _____

General Rev. Fd 1, Appropriated

FY _____ CC _____

Special Fund 41

FY _____ CC _____

Special Fund 123

FY _____ CC _____

Special Fund 153

FY 80 CC 11371 5.00

Special Fund 158

FY _____ CC _____

Comptr. Rev. Code

3754

Source of Funds

Refund on War#

REMARKS:

Permit Appl. - Solid Waste - Tasting

Type of Remittance

ck # 237-2856

Received by

cc-p

II. SITE BACKGROUND INFORMATION

A. Location of Site

1. Facility Name: Phelps Dodge Refining Corp.

Street Address, if available: North Loop Road

El Paso, Tx. County: El Paso

2. Are your waste management operations within the extraterritorial jurisdiction of a municipality?

X Yes No

If you checked "yes," what municipality? El Paso

3. Give a verbal description of the location of the facility site with respect to known or easily identifiable landmarks.

Immediately east of Standard Oil Refinery

4. Detail the access routes from the nearest U.S. or State Highway to the facility site.

In El Paso, Hawkins exit South from IH-10, then West Approx. 2 miles on North Loop Road, Plant entrance is on North side of street

5. Submit as "Attachment A" a United States Geological Survey (USGS), 7½ minute quadrangle map. Indicate on this map the location of the site and the land use patterns of the areas within 1 mile (1.6 km) of the site boundaries (e.g., residential, commercial, recreational, agricultural, undeveloped, etc.). Each area of land use should be labeled on the map. (Note: If such a map is not available, submit a substitute map such as a State Department of Highways and Public Transportation county map with sufficient scale to adequately show the site location and surrounding land use patterns.)

6. a. Submit as "Attachment B" a map indicating the boundaries of all adjacent parcels of land, and a list of the names and mailing addresses of all adjacent landowners and other nearby landowners who might consider themselves affected by the activities described by this application. Cross-reference this list to the map through the use of appropriate keying techniques. The map should be a USGS map, a city or county plat, or another map or drawing with a scale adequate enough to show the cross-referenced affected landowners.

- b. Indicate from what source(s) the names and addresses of persons identified as affected were obtained.

City _____
County _____
School District _____
Water District _____
Abstract Co. _____
Other (specify) Phelps Dodge Records

7. Enter the geographical coordinates of the site:

Latitude: N31 deg 45 min 46 sec

Longitude: W106 deg 23 min 18 sec

8. Is the facility located on Indian lands? Check one:

 Yes X No

B. Legal Description of Site

Submit as "Attachment C" a legal description of the entire tract of land upon which the waste management operations referred to in this permit application occur or will occur.

C. Site Environmental and Technical Information

1. Climatic and Hydrologic

- a. Is any portion of your waste management facility site (including proposed, active, and inactive portions) subject to flooding from adjacent or nearby surface water bodies under the following conditions?

<u>24-hr Rainfall Event</u>	<u>Yes</u>	<u>No</u>
5-year	<u> </u>	<u> X </u>
50-year	<u> </u>	<u> X </u>
100-year	<u> </u>	<u> X </u>

- b. Are there any producing groundwater wells on your site property?

 X Yes No

If you checked "yes,"

(1) Indicate the number of such wells: 6 , and

(2) Indicate the corresponding water uses below:

(a) Industrial uses:

Cooling water X
Process water X
Fire-control water X

(b) Potable (drinking) water X

(c) Agricultural uses:

Irrigation water for livestock food crops or grazing
land
Livestock watering
Irrigation water for human food crops

c. Are any adjacent or nearby surface waters utilized by the applicant?

 Yes X No

If you checked "yes," indicate the corresponding water uses below:

(1) Industrial uses:

Cooling water
Process water
Fire-control water

(2) Potable (drinking) water

(3) Agricultural uses:

Irrigation water for livestock food crops or grazing
land
Livestock watering
Irrigation water for human food crops

2. Site Land Use and Subsidence Information

a. Is any portion of the overall site property utilized for agricultural purposes?

 Yes X No

If you checked "yes," indicate the corresponding uses below:

(1) Grazing

(2) Livestock food crop

(3) Human food crop

If you checked no. (2) or (3), specify the types of crops grown.

b. Is any portion of the overall site property subject to land subsidence?

 Yes X No

If you checked "yes," estimate the magnitude of the greatest subsidence that has occurred (in units of feet). _____

III. WASTES AND WASTE MANAGEMENT

A. Waste Generation and Management Activities

Is any hazardous industrial solid waste (see Title 40, Code of Federal Regulations, Part 261) presently or proposed to be generated at your facility?

☒ Yes ☐ No

If you checked "no," go to Section III.B.2. below.
If you checked "yes," answer the following question.

1. Are you presently registered with TDWR as a solid waste generator?

☒ Yes ☐ No

If you checked "no," contact the Solid Waste Section of TDWR in Austin, Texas to obtain registration information. Also, continue with the application form (go to Number 2 below).

If you checked "yes," go to Section I of your Notice of Registration, determine which of your wastes are hazardous, and list these wastes (and mixtures) in Table III-1 (see Number 2 below).

2. Complete Table III-1 below, listing all hazardous wastes and all mixtures containing any hazardous waste which are presently or proposed to be generated at your facility. (see 40 CFR 261.31-33), attaching additional copies as necessary.

In this table, "TDWR Sequence Number" refers to the number in the left-hand column in Section I of your Notice of Registration (Note: if you are not registered with TDWR, enter "NA" for TDWR Sequence Number and TDWR Waste Code Number).

For the EPA Hazard Code and EPA Hazardous Waste Numbers, see 40 CFR 261.30-33. For annual quantity, provide the amount in units of pounds (as generated) for each waste and/or waste mixture.

Please group the listings of wastes by SIC code, insofar as your processes are designated by SIC codings. Also, within the general SIC code groups, give a brief description of the specific process or operation from which the waste has been generated.

B. Waste Management Facilities Summary

1. For each waste and waste mixture listed in Table III-1 that is presently or proposed to be managed on-site, provide the summary sheet shown in Table III-2 (Note: you must make copies of Table III-2 and submit the completed set of tables as "Attachment D").

Table III-2 Hazardous Waste Management Facility Component Summary Sheet

Verbal Description of Waste

H₂SO₄ in H₂O

Process (see last column in Table III-1)

Wash water from Copper Sulfate Plant

TDWR Sequence Number of Waste (if assigned)

Indicate the facility components used for storage/processing/disposal of the above-specified waste by entering the number of such facility components by which this waste is managed.

☐ Lagoon/Pond (unlined)

☐ Landfarm

☒ Lagoon/Pond (lined)

☐ Landspreading Area

☐ Basin (earthen, above-grade lined)

☐ Spray Irrigation Area

☐ Basin (earthen, above-grade unlined)

☐ Flood Irrigation Area

☐ Basin (earthen, below-grade lined)

☐ Septic Tank/Drain Field

☐ Basin (earthen, below-grade unlined)

☐ Injection Well

☐ Basin (concrete, above-grade lined)

☐ Tank (surface storage)

☐ Basin (concrete, above-grade unlined)

☐ Tank (sub-surface storage)

☐ Basin (concrete, below-grade lined)

☐ Tank (surface processing)

☐ Basin (concrete, below-grade unlined)

☐ Tank (sub-surface processing)

☐ Basin (other)

☐ Tank (other)

☐ Pit (lined)

☐ Drum Storage Area (open)

☐ Pit (unlined)

☐ Drum Storage Area (enclosed)

☐ Incinerator

☐ Drum Storage Area (other)

☐ Open Controlled Incineration Area

☐ Bulk Storage Area (open)

☐ Boiler (energy-producing)

☐ Bulk Storage Area (enclosed)

☐ Landfill (sanitary)

☐ Bulk Storage Area (other)

☐ Landfill (surface, open)

☐ Other (specify _____)

☐ Landfill (other)

2. Has the applicant at any time conducted the on-site storage, processing, or disposal of industrial solid waste now identified or listed as hazardous waste?

 X Yes No

If you checked "yes," complete Table III-3 indicating the hazardous industrial solid waste management facility components which were once utilized at your plant site but are no longer in service (i.e., inactive facility components).

If you checked "no," and if no hazardous industrial solid waste is presently or proposed to be generated or managed at your facility, then you need not file this permit application. Otherwise, proceed with application form.

3. For each facility component indicated in Table III-2 (Attachment D) and Table III-3, complete the following Table III-4 attaching additional copies as necessary. Enter the name of each facility component as specified in the earlier tables.

Give the design capacity of each facility component in any of the units shown. In the case of inactive facilities for which design details are unavailable, an estimate of the design capacity is sufficient.

Please note that each facility component should be described in your own words on the line provided for "verbal description."

4. Provide an estimate of the total weight (lbs) of hazardous industrial solid waste material that has been disposed of and/or stored within your site boundaries and not removed to another site.

C. Location of Waste Management Facilities and Components

1. Submit as "Attachment E" a drawn-to-scale topographic map (or other map if a topographic map is unavailable) extending one mile (and only one mile) beyond the property boundaries of the overall plant site, depicting the following:

- a. The approximate boundaries of the site (described in Section II B) and within these boundaries, the location and boundaries of the areas occupied by each active, inactive, and proposed facility component (see Tables III-2 and III-3 for facility components). Each depicted area should be labeled to identify the facility component(s), component status (i.e., active, inactive, or proposed), and area size in acres.

Not Applicable

Table III-3 Inactive Hazardous Industrial Solid Waste Management Facility Components

Indicate the inactive facility components which were used for storage/processing/disposal of hazardous wastes or mixtures containing any hazardous waste by entering the number of such facility components in the space provided.

<input type="checkbox"/> Lagoon/Pond (lined)	<input type="checkbox"/> Landspreading Area
<input type="checkbox"/> Basin (earthen, above-grade lined)	<input type="checkbox"/> Spray Irrigation Area
<input type="checkbox"/> Basin (earthen, above-grade unlined)	<input type="checkbox"/> Flood Irrigation Area
<input type="checkbox"/> Basin (earthen, below-grade lined)	<input type="checkbox"/> Septic Tank/Drain Field
<input type="checkbox"/> Basin (earthen, below-grade unlined)	<input type="checkbox"/> Injection Well
<input type="checkbox"/> Basin (concrete, above-grade lined)	<input type="checkbox"/> Tank (surface storage)
<input type="checkbox"/> Basin (concrete, above-grade unlined)	<input type="checkbox"/> Tank (sub-surface storage)
<input type="checkbox"/> Basin (concrete, below-grade lined)	<input type="checkbox"/> Tank (surface processing)
<input type="checkbox"/> Basin (concrete, below-grade unlined)	<input type="checkbox"/> Tank (sub-surface processing)
<input type="checkbox"/> Basin (other)	<input type="checkbox"/> Tank (other)
<input type="checkbox"/> Pit (lined)	<input type="checkbox"/> Drum Storage Area (open)
<input type="checkbox"/> Pit (unlined)	<input type="checkbox"/> Drum Storage Area (enclosed)
<input type="checkbox"/> Incinerator	<input type="checkbox"/> Drum Storage Area (other)
<input type="checkbox"/> Open Controlled Incineration Area	<input type="checkbox"/> Bulk Storage Area (open)
<input type="checkbox"/> Boiler (energy-producing)	<input type="checkbox"/> Bulk Storage Area (enclosed)
<input type="checkbox"/> Landfill (sanitary)	<input type="checkbox"/> Bulk Storage Area (other)
<input type="checkbox"/> Landfill (surface, open)	<input type="checkbox"/> Other (specify _____)
<input type="checkbox"/> Landfill (other)	_____)